

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

RODNEY TYGER and SHAWN WADSWORTH,	:	CIVIL ACTION NO. 4:11-CV-1913
	:	
Plaintiffs	:	(Judge Conner)
	:	
v.	:	
	:	
PRECISION DRILLING CORP., <i>et al.</i>,	:	
	:	
Defendants	:	

ORDER

AND NOW, this 18th day of December, 2012, upon consideration of defendant Precision Drilling Company, LP's ("Precision") motion (Doc. 25) for summary judgment, and upon further consideration of plaintiffs' motion (Doc. 38) to strike declarations submitted by Precision in support of its motion, and it appearing that the parties have yet to conduct any discovery, and it further appearing that there are potential genuine disputes of material fact,¹ it is hereby ORDERED that:

¹ For example, the parties dispute whether Precision required plaintiffs to don and doff personal protective equipment at the work site. (Doc. 39, at 6, 9-10; Doc. 43 ¶ 52). The parties also dispute the amount of time plaintiffs spent in end-of-shift meetings and how often those meetings extended past the official shift end-time. (Doc. 39, at 17-18; Doc. 43 ¶ 40).

1. Defendant's motion (Doc. 25) for summary judgment is DENIED without prejudice to defendant's right to file such a motion at the close of discovery.
2. Plaintiffs' motion (Doc. 38) to strike is DENIED as moot.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge